

1 BOIES SCHILLER FLEXNER LLP

2 David Boies (admitted pro hac vice)
 333 Main Street
 Armonk, NY 10504
 Tel.: (914) 749-8200
 dboies@bsflp.com

4 Mark C. Mao, CA Bar No. 236165
 Beko Reblitz-Richardson, CA Bar No.
 238027
 44 Montgomery St., 41st Floor
 San Francisco, CA 94104
 Tel.: (415) 293-6800
 mmao@bsflp.com
 brichardson@bsflp.com

5 James Lee (admitted pro hac vice)
 Rossana Baeza (admitted pro hac vice)
 100 SE 2nd St., 28th Floor
 Miami, FL 33131
 Tel.: (305) 539-8400
 jlee@bsflp.com
 rbaeza@bsflp.com

11 Alison L. Anderson, CA Bar No. 275334
 M. Logan Wright, CA Bar No. 349004
 15 2029 Century Park East, Suite 1520
 Los Angeles, CA 90067
 Tel.: (213) 995-5720
 alanderson@bsflp.com
 mwright@bsflp.com

SUSMAN GODFREY L.L.P.

Bill Carmody (admitted pro hac vice)
 Shawn J. Rabin (admitted pro hac vice)
 Steven M. Shepard (admitted pro hac vice)
 Alexander Frawley (admitted pro hac vice)
 Ryan Sila (admitted pro hac vice)
 One Manhattan West, 50th Floor
 New York, NY 10001
 Tel.: (212) 336-8330
 bcarmody@susmangodfrey.com
 srabin@susmangodfrey.com
 sshepard@susmangodfrey.com
 afrawley@susmangodfrey.com
 rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891
 1900 Avenue of the Stars, Suite 1400
 Los Angeles, CA 90067
 Tel.: (310) 789-3100
 abonn@susmangodfrey.com

MORGAN & MORGAN

John A. Yanchunis (admitted pro hac vice)
 Ryan J. McGee (admitted pro hac vice)
 Michael F. Ram, CA Bar No. 104805
 201 N. Franklin Street, 7th Floor
 Tampa, FL 33602
 Tel.: (813) 223-5505
 jyanchunis@forthepeople.com
 rmcgee@forthepeople.com
 mram@forthepeople.com

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20 ANIBAL RODRIGUEZ, SAL
 21 CATALDO, JULIAN
 SANTIAGO, and SUSAN LYNN
 22 HARVEY, individually and on behalf of all
 others similarly situated,

23 Plaintiffs,

24 v.

25 GOOGLE LLC,

26 Defendant.

Case No.: 3:20-cv-04688-RS

**DECLARATION OF MARK MAO IN
 SUPPORT OF PLAINTIFFS'
 OPPOSITION TO GOOGLE'S MOTION
 TO EXCLUDE SUNDAR PICHAI FROM
 TRIAL**

Judge: Hon. Mag. Alex G. Tse

Date: May 9, 2025

Time: 2:00 p.m.

Location: A – 15th Floor

DECLARATION OF MARK MAO

I, Mark Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs' Opposition to Google's Motion to Exclude Sundar Pichai from Testifying at Trial.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00085183.

4. Attached hereto as **Exhibit 2** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00035752.

5. Attached hereto as **Exhibit 3** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00164255.

6. Attached hereto as **Exhibit 4** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00018661.

7. Attached hereto as **Exhibit 5** is a true and correct copy of relevant excerpts of the transcript from the Deposition of Google employee David Monsees, taken on September 15, 2022.

8. Attached hereto as **Exhibit 6** is a true and correct copy of a document available at
<https://www.congress.gov/116/meeting/house/110883/witnesses/HHRG-116-JU05-Bio-PichaiS-20200729.pdf>.

9. Attached hereto as **Exhibit 7** is a true and correct copy of relevant excerpts of the transcript from the Deposition of Francis Ma, taken on October 28, 2022.

10. Attached hereto as **Exhibit 8** is a true and correct copy of relevant excerpts of a document Google produced in discovery labeled GOOG-RDGZ-00056947.

1 11. Attached hereto as **Exhibit 9** is a true and correct copy of a document Google
2 produced in discovery labeled GOOG-RDGZ-00076980.

3 12. Attached hereto as **Exhibit 10** is a true and correct copy of a document Google
4 produced in discovery labeled GOOG-RDGZ-00163898.

5 13. Attached hereto as **Exhibit 11** is a true and correct copy of a document Google
6 produced in discovery labeled GOOG-RDGZ-00057867.

7 14. Attached hereto as **Exhibit 12** is a true and correct copy of relevant excerpts of a
8 document Google produced in discovery labeled GOOG-RDGZ-00060716.

9 15. Attached hereto as **Exhibit 13** is a true and correct copy of a document Google
10 produced in discovery labeled GOOG-RDGZ-00152785.

11 16. Attached hereto as **Exhibit 14** is a true and correct copy of a document Google
12 produced in discovery labeled GOOG-RDGZ-00020740.

13 17. Attached hereto as **Exhibit 15** is a true and correct copy of a document Google
14 produced in discovery labeled GOOG-RDGZ-00116916.

15 18. Attached hereto as **Exhibit 16** is a true and correct copy of a document Google
16 produced in discovery labeled GOOG-RDGZ-00131086.

17 19. Attached hereto as **Exhibit 17** is a true and correct copy of a document Google
18 produced in discovery labeled GOOG-RDGZ-00160904.

19 20. Attached hereto as **Exhibit 18** is a true and correct copy of a document Google
20 produced in discovery labeled GOOG-RDGZ-00145362.

21 21. Attached hereto as **Exhibit 19** is a true and correct copy of a document Google
22 produced in discovery labeled GOOG-RDGZ-00130078.

23 22. Attached hereto as **Exhibit 20** is a true and correct copy of a document Google
24 produced in discovery labeled GOOG-RDGZ-00127151.

25 23. Attached hereto as **Exhibit 21** is a true and correct copy of a document Google
26 produced in discovery labeled GOOG-RDGZ-00038594.

24. Attached hereto as **Exhibit 22** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00171250.

25. Attached hereto as **Exhibit 23** is a true and correct copy of the testimony of Sundar Pichai, given on December 11, 2018.

26. Attached hereto as **Exhibit 24** is a true and correct copy of relevant excerpts of Google's Fourth Supplemental Responses to Plaintiffs' Interrogatories, Set One, dated November 5, 2021.

27. Attached hereto as **Exhibit 25** is a true and correct copy of relevant excerpts of the transcript from the Deposition of Eric Miraglia, taken on October 25, 2022.

28. Attached hereto as **Exhibit 26** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00087672.

29. Attached hereto as **Exhibit 27** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00177701.

30. Attached hereto as **Exhibit 28** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00061531.

31. Attached hereto as **Exhibit 29** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00046121.

32. Attached hereto as **Exhibit 30** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00117801.

33. Attached hereto as **Exhibit 31** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00127803.

34. Attached hereto as **Exhibit 32** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00127840.

35. Attached hereto as **Exhibit 33** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00188868.

36. Attached hereto as **Exhibit 34** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00203483.

1 37. Attached hereto as **Exhibit 35** is a true and correct copy of a document Google
2 produced in discovery labeled GOOG-RDGZ-00039515.

3 38. Attached hereto as **Exhibit 36** is a true and correct copy of a document Google
4 produced in discovery labeled GOOG-RDGZ-00153597.

5 39. Attached hereto as **Exhibit 37** is a true and correct copy of a document Google
6 produced in discovery labeled GOOG-RDGZ-00017489.

7 40. Attached hereto as **Exhibit 38** is a true and correct copy of a document Google
8 produced in discovery labeled GOOG-RDGZ-00186761.

9 41. Attached hereto as **Exhibit 39** is a true and correct copy of a document Google
10 produced in discovery labeled GOOG-RDGZ-00014597.

11 42. Attached hereto as **Exhibit 40** is a true and correct copy of a blog available at
12 <https://blog.google/technology/safety-security/keeping-private-information-private/>.

13 43. Attached hereto as **Exhibit 41** is a true and correct copy of a document available
14 at <https://docs.house.gov/meetings/JU/JU05/20200729/110883/HHRG-116-JU05-Wstate-PichaiS-20200729.pdf>.
15

16 44. Attached hereto as **Exhibit 42** is a true and correct copy of relevant excerpts of
17 the transcript from the Deposition of Greg Fair, taken on October 3, 2022.

18 45. Attached hereto as **Exhibit 43** is a true and correct copy of relevant excerpts of
19 the transcript from the Deposition of Sam Heft-Luthy, taken on February 8, 2023.

20 46. Attached hereto as **Exhibit 44** is a true and correct copy of a document Google
21 produced in discovery labeled GOOG-RDGZ-00158221.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct. Executed this 17th day of April, 2025, at San Francisco, California

/s/ *Mark C. Mao*